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Non-Party



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Arjun Vasan,
Plaintiff and Counter-Defendant

vs.

Checkmate.com, Inc.,
(dba "Checkmate"),
Defendant and Counterclaimant

Case No.: 2:25-cv-00765-MEMF-ASX
Hon. Alka Sagar | DISCOVERY MATTER

**NON-PARTY VASAN VARADARAJAN'S
OBJECTION TO DEFECTIVE NOTICE
OF MOTION TO COMPEL; REQUEST
TO VACATE OR CONTINUE HEARING**

Complaint Filed: January 28, 2025
Hearing Date: December 2, 2025
Hearing Time: 10:00 A.M.
Courtroom: 540

TO THE HONORABLE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Non-party Vasan Varadarajan ("Non-party") respectfully objects to the defective notice of Defendant Checkmate.com, Inc. ("Movant")'s motion to compel and requests that the Court vacate the currently noticed hearing date or, at minimum, continue it as set forth below. This filing concerns procedural scheduling only and does not address the motion's merits.

GROUND FOR RELIEF

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2 1. Insufficient notice for mail service (L.R. 6-1; FRCP 6(d)).

3 Movant served the papers by U.S. Mail on October 15, 2025, but noticed a November 13,
4 2025, hearing—only 29 days in advance. Service by mail requires 31 days’ notice before the
5 hearing. Notice is is therefore insufficient and the hearing should be vacated or continued.

6 2. Incorrect judicial officer on notice (L.R. 7-4; FRCP 5; L.R. 5-3.2.1).

7 Following reassignment of discovery matters to Magistrate Judge Sagar, any hearing
8 must be noticed before the assigned judicial officer and served accordingly. Non-Party is not
9 registered for ECF; notice identifying the correct judge must be served on him under Rule 5.

10 3. Non-party prejudice, efforts to retain counsel and coordination.

11 Movant’s papers contain over 6,000 words, extensive case law, and seek contempt
12 sanctions on an unrepresented non-party who has never filed court papers or been a party to
13 litigation. Non-Party sought reasonable accommodations as set forth in the concurrently filed
14 Motion for Protective Order/To Quash or Modify Subpoena (noticed for December 2, 2025, at
15 10:00 a.m. before Judge Sagar). Parties to litigation, and the Court, have an obligation to prevent
16 undue burden on a non-party. Here, the motion to compel not only seeks to enforce an overbroad
17 subpoena on a non-party, but it also expressly seeks to burden him with a monetary sanction.

18 Non-party is therefore seeking to retain counsel to continue briefing on his motion for a
19 protective order, and to respond to the motion to compel. Non-Party faces concrete prejudice if a
20 defective notice accelerates briefing without a fair opportunity to secure counsel.

21 4. Efficiency and coordination.

22 Coordinating the motions avoids duplicative briefing and inconsistent rulings.

23 **REQUEST TO VACATE OR CONTINUE HEARING**

24 Non-Party respectfully requests that the Court:

25 (a) Vacate the November 13, 2025, hearing date; and

26 (b) Reset the motion to (i) December 2, 2025, at 10:00 a.m. (to coordinate with Non-
27 Party’s protective-order motion), or, in the alternative, (ii) a date not earlier than fourteen (14)
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1 days after the earliest permissible hearing date under L.R. 6-1/FRCP 6(d) (i.e., at least two weeks
2 beyond the 31-day minimum to provide sufficient time to retain proper counsel), and

3 (c) Reset briefing under the Local Rules from the new hearing date;

4 (d) Direct Movant to serve corrected notice identifying the assigned judicial officer on
5 the first page, as L.R. 7-4 requires; and

6 (e) Stay any subpoena-compliance obligations pending the re-set hearing.

7 **DECLARATION OF VASAN VARADARAJAN**

8 I, Vasan Varadarajan, declare:

- 9 1. I am not a party to this action and am not registered for CM/ECF.
10 2. On October 15, 2025, I received movant's motion papers by U.S. Mail noticing a hearing
11 on November 13, 2025. Exhibit A.
12 3. After those papers issued, the case's discovery matters were reassigned to Magistrate
13 Judge Alka Sagar; I did not receive any corrected notice naming Judge Sagar on the first
14 page of the notice.
15 4. I am actively seeking to retain counsel to assist me in this discovery dispute.
16 5. I respectfully request the Court vacate the November 13 date and reset the hearing either
17 to December 2, 2025, at 10:00 a.m. to coordinate with my pending protective-order
18 motion, or to a date not earlier than fourteen (14) days after the earliest permissible
19 hearing date under the Local Rules. The protective-order motion is noticed for December
20 2, 2025, before Judge Sagar.
21 6. *I declare under penalty of perjury under the laws of the United States of America that the*
22 *foregoing is true and correct.*

23 Respectfully,

24 Executed on: October 21, 2025

/s/ *Vasan Varadarajan*

25 In Cerritos, California

Vasan V.S.

26 By: **Vasan Varadarajan**, Non-Party
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